

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL)	MDL No. 1456
INDUSTRY AVERAGE WHOLESALE)	Master Docket 01-cv-12257
PRICE LITIGATION)	
)	
)	Subcategory 06-11337
THIS DOCUMENT RELATES TO:)	Civil Action No. 08-cv-10852
)	
<i>United States of America Ex Rel.</i>)	
<i>Ven-A-Care of the Florida Keys, Inc.</i>)	
<i>a Florida Corporation, by and through</i>)	
<i>its principal officers and directors,</i>)	
<i>ZACHARY T. BENTLEY and T. MARK</i>)	
<i>JONES, vs. Actavis Mid Atlantic LLC,</i>)	
<i>et al.</i>)	
)	

VEN-A-CARE OF THE FLORIDA KEYS, INC. STATUS REPORT APRIL 2, 2012

Plaintiff and Relator, Ven-A-Care of the Florida Keys, Inc. ("VAC"), submits the following report to the Court regarding the status of this action:

1. On February 29, 2012, at the request of the parties, the Court entered an Order of Dismissal With Prejudice of Remaining Claims Against Mylan. With this settlement and dismissal, VAC has concluded all of its cases in this MDL.
2. The only remaining outstanding matters are payment of relator shares by the United States in connection with the following settlements:
 - a. The relator's share of the federal portion of the Mylan/California Settlement funded by Mylan on February 24, 2012;
 - b. The relator's share of the federal portion of the Actavis/Multi-state Settlement funded by Actavis on December 28, 2011; and
 - c. The relator's share of the federal portion of the Actavis/Texas Settlement funded by Actavis on December 21, 2011.
3. On September 22, 2011, VAC and the US entered into a Relator Share Agreement ("Agreement") providing for the percentages and amounts of relator shares in connection with, among other settlements, the Mylan/California and

Actavis/Multi-state Settlements. The Agreement states that "the United States will make each respective payment within a reasonable time after the United States' receipt of the respective recovery amounts from the Defendants."

4. Counsel for the Department of Justice ("DOJ") has informed VAC counsel that all necessary approvals for payment of the relator shares in connection with the Mylan/California and Actavis/Multi-state Settlements have been given by the responsible DOJ officials, HHS-OIG has confirmed that it has no objections, and payment will be shortly forthcoming. DOJ counsel has further advised VAC counsel that HHS-OIG has no objection to payment of the relator's share of the federal portion of the Actavis/Texas settlement, and that appropriate action has been taken to obtain the remaining necessary approvals of the responsible DOJ officials for payment of the relator's share of that settlement concurrently with the federal relator share from the Actavis/Multi-State Settlement.

5. In view of the above, VAC anticipates that all remaining relator share payments will be made by the United States within the next 45 days. VAC will keep the Court apprised of the status of these remaining matters and will promptly inform the Court upon receiving payment of the remaining relator shares.

Respectfully submitted,

JAMES J. BREEN
Florida Bar No. 297178
The Breen Law Firm, P.A.
P.O. Box 297470
Pembroke Pines, Florida 33029-7470
(954) 874-1635
(954) 874-1705 (FAX)

GOODE CASSEB JONES
RIKLIN CHOATE & WATSON, P.C.
P.O. Box 120480
San Antonio, Texas 78212
(210) 733-6030
(210) 733-0330 - Fax

By: /s/ Rand J. Riklin
Rand J. Riklin (TX Bar No. 16924275)
John E. Clark (TX Bar No. 04287000)

